

APPENDIX B
LOCAL TELEPHONE COMPETITION AND BROADBAND REPORTING FORM

FCC Form 477 -- Local Telephone Competition and Broadband Reporting Cover Page: Name & Contact Information

OMB NO 3060-0816

All filers must complete Items 1 - 11 of this Cover Page

Data as of

December 31, 2004

EXPIRATION DATE __/__/__

- 1 Filing status
- 2 Company

- 3 Indicate the category that best describes the operations covered by this filing

- 4 Filers must report separate data for ILEC and non-ILEC operations
 Use the following drop-down box to indicate whether this worksheet contains data
 for ILEC or for non-ILEC operations

- 5 Use the following drop-down box to select the name of your parent or controlling entity. If you are not
 affiliated with any other filer, select your company name. Select "not shown" if no appropriate name
 appears in the list. See instructions Section IV-B-1 for information on preparing file names.

If you selected "not shown" above, then provide the following:

Parent or controlling entity name (if none, enter company name)

- 6 State

- 7 Contact person (person who prepared the data contained below)

- 8 Contact person telephone number and e-mail address
 phone

 e-mail

- 9 Indicate whether this is an original or revised filing

- 10 Indicate whether you request non-disclosure of some or all of the information in this file
 because you believe that this information is privileged and confidential and public disclosure
 of such information would likely cause substantial harm to the competitive position of the filer

- 11 Indicate if this is a complete file or a redacted version of a complete file

Please review instructions before completing form

Reminders

 1) Ensure files are virus free by using up-to-date virus detection software. Filers are
 encouraged to submit files via e-mail (address: FCC477@fcc.gov)

 2) If you are filing original or revised data for an earlier
 semi-annual reporting period, do not use this particular
 form (which is only for data as of December 31, 2004)
 See reminder 4

 3) You may not insert or delete columns or rows, move
 cells, or edit text or numbers outside the cells provided
 for data entries. Files that cannot be opened in
 EXCEL2002, files whose structure has been altered,
 and files with improper names will have to be refiled

 4) If you have questions about the form, contact the
 Wireline Competition Bureau, Industry Analysis and
 Technology Division at (202) 418-0940 via e-mail
 at 477INFO@fcc.gov, or via TTY at (202) 418-0484

 5) You must submit a Certification Statement signed by
 an officer of your company. A single statement may
 cover all files submitted. See Instructions sections IV & V

 6) If you request non-disclosure of some data, you must
 file a separate version of the form with such information
 redacted. See Instructions sections IV B and IV C
 for information on preparing a redacted file

 7) Name your files as specified in Instructions section IV B 1. To assist you, complete this
 Cover Page to generate an "example" name, below. Replace the character "#" in this
 example name with a sequence number as specified in the instructions. This number
 should be "1" unless using "1" would cause you to submit more than one file with the
 identical file name

Example >>> SST#D04name.XLS

If you provide data in Part I, you must provide in Part V specified lists of the 5-digit Zip Codes of the end-user locations to which you provide the broadband connections reported herein. See instructions

Lines and wireless channels connecting end users to the Internet that you provided over your own local facilities, or over UNE loops or other leased and wireless channels that you obtained from unaffiliated entities and equipped as broadband, categorized by technology at the end-user location

technology and the corresponding number of connections in the comment section of Part IV

Note: Filters that report a non-zero value in column (a) of Line A 1-1, in column (a) of Line A 1-2, or in column (a) of Line A 1-4 must also complete Part I B

For the purposes of completing Part I-B, mass-market end-user premises include residential living units and also individual living units in such institutional settings as college dormitories and nursing homes. Mass-market premises also include small businesses to the extent that you consider small business end users to be target customers for broadband services you (including affiliates and agents) primarily design for, and market to residential end users.

B Report your best estimate of the percentage of mass-market end-user premises in your service area, in this state, to which broadband connections are available over your own local loop facilities

(a)
Estimated % of mass-market end-user premises

I - 11 xDSL (asymmetric or symmetric)

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I - 12 Cable modem

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Complete Part II if you and all affiliates (including commonly controlled entities) provide 10,000 or more voice-grade equivalent lines or wireless voice-grade equivalent channels used for local exchange or exchange access service in the state. See instructions for definitions of "voice telephone service", "voice-grade equivalent", "end user", "residential & small business", "default interstate long distance carrier", "own local loop facilities", and "UNE-Platform"

If you provide data in Part II, you must provide in Part V a list containing the 5-digit Zip Codes of the end-user locations to which you provide the wireline or fixed wireless voice grade services reported herein. See instructions.

Data as of December 31 2004

[illegible]

FCC Form 477 -- Local Telephone Competition and Broadband Reporting Part III: Mobile Local Telephone

OMB NO 3060-0816

EXPIRATION DATE / /

Complete Part III if you and all affiliates (including commonly controlled entities) serve 10 000 or more mobile voice telephony subscribers in the state over your own facilities. See instructions for definitions of "mobile voice telephony subscribers", "own facilities", and "default interstate long distance carrier"

Data as of December 31 2004

A. Mobile voice telephony subscribers in service and served over your own facilities. (Include directly billed subscribers, pre-paid subscribers, and subscribers served via resellers.)

(a) Network telephone service subscribers	(b) Percentage of subscribers reported in (a) that are directly billed or pre-paid subscribers	(c) Percentage of subscribers reported in (a) that are directly billed or pre-paid subscribers AND for which you (including affiliates) are the default interstate long distance carrier
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III - 1 Cellular, PCS & other mobile telephony

Note: In Part III, count a subscriber as a mobile handset, car-phone or other revenue-generating active voice unit that has a unique phone number and that can place and receive calls from the public switched network. Subscriber counts by state should be based on the area codes of the phone numbers provided to subscribers.

OMB NO 3060-0816
EXPIRATION DATE 1/1

Space for comments or explanatory notes

[illegible]

V-1 5-digit Zip Codes in the state, that are associated with the data reported in Part I and Part II as specified herein

Broadband connections reported in Part I							Telephone service reported in Part II
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)
Asymmetric xDSL	Symmetric xDSL	Cable modem	Satellite	Terrestrial wireless	Electric power line	Other including traditional wireline and optical fiber	Wireline and fixed wireless exchange telephone

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FCC Form 477, Instructions for March 1, 2005 Filing (of data as of 12/31/04)

OMB NO. 3060-0816, Expiration Date: xx/xx/xxxx

Estimated Average Burden Hours Per Response: xx Hours

Instructions for Local Telephone Competition and Broadband Reporting Form (FCC Form 477)**I. PURPOSE**

The FCC Form 477 collects information on the deployment of broadband, local telephone and mobile telephony services from providers of these services. Data obtained from this form will be used to describe competition for local telecommunications services and deployment of broadband services. *See Local Telephone Competition and Broadband Reporting*, Order, FCC xx-xxx (rel. xx xx, xxxx) for additional information about this collection.

II. WHO MUST FILE THIS FORM?

Three types of communications service providers must file this form:

- **Providers of Broadband Services:**

Facilities-based broadband providers (including incumbent and competitive LECs, cable companies, fixed wireless providers, terrestrial and satellite mobile wireless providers, MMDS providers, utilities, municipalities, and others) must complete and file the applicable portions of this form for **each state** in which the filer (including all commonly-owned and commonly-controlled entities) provides **250 or more** broadband lines (or wireless channels) that terminate at an end-user location and connect the end user to the Internet. For purposes of this information collection, **broadband** lines (or wireless channels) carry information, at the end-user location, at information transfer rates **exceeding 200 kilobits per second (kbps) in at least one direction**. Note that, for purposes of this information collection, we also refer to "broadband" lines as "high-speed" lines. The applicable portions of the form are 1) the Cover Page, 2) Part I; 3) Part IV (if necessary), and Part V. The term "state" includes the District of Columbia and the "Territories and possessions."

Note: an entity is considered a "**facilities-based**" broadband provider if it provides broadband lines (as defined above) over facilities that it (including all commonly-owned and commonly-controlled entities) owns or provisions/equips as broadband. More specifically, facilities-based providers include entities that provide broadband connections to end-user premises over their own local loop facilities, or over unbundled network elements (UNEs), special access lines, and other leased lines and wireless channels that they obtain from unaffiliated entities and equip as broadband.

- **Providers of Local Telephone Services:**

Incumbent and competitive local exchange carriers (LECs) must complete and file the applicable portions of the form for **each state** in which they provide **10,000 or more** "voice-grade equivalent lines (or wireless channels)." For purposes of determining whether this threshold applies, the filer (including all commonly-owned and commonly-controlled entities) need only consider the sum of the number of voice-grade equivalent lines (or wireless channels) that would be reported in Line A.II-1(a), Line B.II-2(a), and Line B.II-3(a) of the form. The applicable portions of the form are 1) the Cover Page, 2) Part II, 3) Part IV (if necessary); and Part V.

- **Providers of Mobile Telephony Services:**

Facilities-based providers of mobile telephony services (*see* 47 C.F.R. § 20.15(b)(1)) must complete and file the applicable portions of this form for **each state** in which they serve **10,000 or more** mobile telephony subscribers. Entities providing mobile telephony services using spectrum obtained via lease or other agreement with a Band Manager must also complete the applicable portions of this form. The applicable portions of the form are 1) the Cover Page; 2) Part III, 3) Part IV (if necessary).

Note: Mobile telephony is defined as real-time, two-way switched voice service that is interconnected with the public switched network using an in-network switching facility that enables the provider to reuse frequencies and accomplish seamless handoff of subscriber calls.

Important Note for All Providers about Calculating Reporting Thresholds: Reporting thresholds are calculated based collectively on all commonly-owned and commonly-controlled affiliates operating in a given state. [*See* 47 U.S.C. § 153(1) (establishing a 10% equity interest as indicia of ownership).] That is, a provider must report for each state in which it and all affiliates collectively meet reporting thresholds. Such affiliates are, nevertheless, permitted to file forms for such states either combined or separately -- at their discretion.

III. LINE-BY-LINE INSTRUCTIONS FOR COMPLETING FCC FORM 477

(NOTE Key terms that appear in this section are summarized in **VI. Glossary of Selected Terms Appearing on FCC Form 477**)

A. Cover Page -- Name and Contact Information (All Filers)

Line 1: Select from the drop-down menu the applicable filing status.

Line 2: Provide the name of the entity whose data is contained in the form (If the filer has a holding company or controlling entity with a different name, that name must be reported in Line 5 of the Cover Page)

Line 3: Select the category that best describes the type of technology that you use to provide services Choose from Cable Coaxial, Fiber, Fixed Wireless, Mobile Wireless, Reseller, Satellite, Wireline Local Exchange Carrier, or Other.

Line 4: In general, you can combine operations in a state or report them separately. However, entities that are, or are affiliated with, an incumbent LEC must complete and file separate forms for their incumbent LEC and non-incumbent LEC operations. All filers should indicate whether this filing is for an incumbent LEC filing or a non-incumbent LEC filing.

Line 5: You must provide a single name, such as a holding company name, so that all affiliated or commonly-controlled entities can be identified. See "Important Note for All Providers about Calculating Reporting Thresholds," above, for more information on which entities should be considered to be affiliated or commonly-controlled The Excel 2002 spreadsheet version of the form (preferred) has a drop down box with standardized names. The Lotus 123 spreadsheet version of the form has a list of standardized names. If your holding company or controlling entity's name is not in the list, enter that name in the space provided. (If you have no holding company or controlling entity, enter in Line 5 the same name as you entered in Line 2.)

Line 6: File a separate form for each state in which you meet the filing threshold. In this line, indicate the state for which you are filing data. The term "state" is defined to include the District of Columbia and the "Territories and possessions." See 47 U.S.C. § 153(40)

Line 7: Provide a contact name for the person who prepared this filing

Line 8: Provide the telephone number and e-mail address for the contact person listed in Line 7.

Line 9: File a revised form if you discover mistakes. Use Line 9 to indicate whether this filing is an original or a revised filing

Line 10: Indicate whether you request non-disclosure of some or all of the information reported in the Form 477. You may request non-disclosure if you believe that this information is privileged and confidential and that public disclosure of such information would likely cause substantial harm to the competitive position of the filer. Note that if you request non-disclosure of some or all of the data, you must also file a redacted version of the form (in which the specific items of data you believe to be privileged and confidential are redacted, as explained below in Sections IV-B and IV-C of the instructions)

Line 11: Indicate whether this file is a complete file or a redacted version of a complete file. See Sections IV-B and IV-C of the instructions for information on preparing a redacted file

B. Part I.A.: Broadband (Broadband Providers Only)

INCLUDE in Part I.A.: In this section, facilities-based broadband providers report information about their **broadband lines/wireless channels (for purposes of this section "lines") in service to end users**. **End users** are residential, business, institutional and government entities who use broadband services for their own purposes and who do not resell such services to other entities or incorporate such services into retail Internet-access services that they market to end users. (Note that an Internet Service Provider is not an "end user" for purposes of Part I of FCC Form 477.) The end users of retail services delivered over the lines reported in Part I may be billed by the filer (including affiliates), by an agent of the filer, or by an unaffiliated entity. For purposes of this information collection, **broadband lines** carry information between the Internet and the end-user location at information transfer rates exceeding 200 kbps in at least one direction. (For purposes of this information collection, we also refer to "broadband" lines as "high-speed" lines.) In categorizing lines as "broadband," filers should consider the end user's authorized maximum usage ("speed") on that connection. Filers must report wired broadband lines provisioned over "local loop" facilities owned by the filer (including affiliates), as well as broadband lines provisioned over UNEs, special access lines, and other leased lines that the filer obtains from an unaffiliated entity and equips as broadband. Filers also must report broadband lines that they provision over the wireless last-mile equivalent of the local loop. **Do not** convert into voice-grade equivalent measures any lines reported in **Part I**

EXCLUDE in Part I.A.: Broadcast cable television service and other multi-channel video programming; video-on-demand type service unless it is bundled with Internet-type access or uses Internet-type delivery protocols, and channelized services which restrict the customer to both transmitting and receiving data at 200 kbps or less. Exclude lines that connect two locations of the same large-business or other end-user entity (not to be reported anywhere on FCC Form 477) and special access and private line services that you believe are used for exchange telephone service (to be reported in Part II-C). Where a filer does not know whether a high-capacity line or wireless channel is being used as a broadband line or as a telephone

service line, the filer should report that line in Part II, on Line C.II-6. If you provide a line to an unaffiliated filer who is likely to include services provided over that line in its own report (for example, because the unaffiliated filer equips the line or UNE as broadband), then that line should be reported in Part II-C of your filing

Lines in Part I.A.

Report broadband lines on Lines A.I-1 through A.I-9 based on the technology employed by the part of the line that actually connects to the end-user premises. If different technologies are used in the two directions of information transfer (“downstream” and “upstream”), report the line in the technology category for the higher-rate direction. **Count only lines that are in service** connecting the end user to the Internet, including lines over which you (including affiliates or agents) provide an Internet-access service to the end user and lines over which an unaffiliated entity (which is not your agent) provides an Internet-access service to the end user.

Line A.I-1: Report the number of broadband lines provided over asymmetric xDSL technologies. **Do not** convert these lines into a voice-grade equivalent measure

Line A.I-2: Report the number of broadband lines provided over symmetric xDSL technologies. **Do not** convert these lines into a voice-grade equivalent measure

Line A.I-3: Report the number of broadband lines provided over other traditional wireline facilities. **Do not** include broadband lines provided over symmetric xDSL service, but report such lines in Line A.I-2. **Do not** convert these lines into a voice-grade equivalent measure.

Line A.I-4: Report the number of broadband lines provided over coaxial carrier systems including hybrid fiber-coaxial systems (*i.e.*, “cable modem” connections). **Do not** convert these lines into a voice-grade equivalent measure.

Line A.I-5: Report the number of broadband lines provided over optical carrier terminations **at the end-user premises**. Note that broadband lines that are provisioned over optical fiber facilities used elsewhere in the network should not be reported in this category. For example, lines provisioned as “fiber to the curb” do not qualify (because, by using a non-fiber “drop,” they are not “fiber to the home”) **Do not** convert these lines into a voice-grade equivalent measure.

Line A.I-6: Report the number of broadband lines provided over satellite facilities. **Do not** convert these lines into a voice-grade equivalent measure.

Line A.I-7: Report the number of broadband lines provided over terrestrial fixed wireless facilities (whether using licensed or unlicensed spectrum). **Do not** convert these lines into a voice-grade equivalent measure.

Line A.I-8: Report the number of broadband lines provided over terrestrial mobile wireless facilities (whether using licensed or unlicensed spectrum). **Do not** convert these lines into a voice-grade equivalent measure

Line A.I-9 Report the number of broadband lines provided over electric power lines. **Do not** convert these lines into a voice-grade equivalent measure

Line A.I-10: Report the number of broadband lines provided over all other technologies. **Do not** convert these lines into a voice-grade equivalent measure. **Note** that the filer must **identify each specific technology** used to provide the lines reported in Line A.I-10, and the corresponding number of connections for each specific technology, in the comment section of Part IV of FCC Form 477.

Columns in Part I.A.

General Note about Reporting Percentage Breakouts: Parts I, II, and III of Form 477 direct filers to provide percentages breakouts for specific line counts. If disaggregated counts exist for another purpose, then these must be used to calculate the requested percentage breakouts. However, filers are not expected to calculate percentages based on exhaustive counts performed solely for this task. Rather, where disaggregated counts do not exist, filers may provide good faith estimates of percentages based on the best information available to the filer. For example, if there is a pricing distinction between services provided to residential, small business, and large business customers, then billing information may be used to estimate the percentage of lines provided to residential and small business customers. In the absence of such information, however, filers should rely on studies done for other purposes, such as marketing and business plan information, demographic data, etc. A filer should conduct limited special studies only in the event that it cannot provide **estimates of percentage breakouts that it reasonably expects to be accurate within plus or minus five percentage points.**

Column (a): Report the total number of broadband lines (*i.e.*, connections in service to end users that carry information, at the end-user location, at information transfer rates exceeding 200 kbps in at least one direction) as described in each of Lines A.I-1 through A.I-10, above.

Column (b): Report the percentage of total lines reported in column (a) that are in service to residential and small business end users (as opposed to large business, institutional, or other end users). In Part I of FCC Form 477, classify lines as being used by **residential and small business** end users if the end user has a broadband connection of a type (as indicated by, *e.g.*, information transfer rates, features, and price) that is most typically associated with (*i.e.*, primarily designed for, or marketed to) residential end users.

Column (c): Report the percentage of total lines reported in column (a) that are provided over your **own local loop facilities, or the wireless last-mile equivalent**, connecting to the end user's premises. Count as your own such facilities, those wired local loop facilities that you (including your affiliates) owned, those wireless connections to end-user premises that are deployed over unlicensed spectrum or spectrum for which you hold a license, manage, or have obtained the right to use via lease or other arrangement with a Band Manager, and facilities you obtained the right to use from unaffiliated entities as dark fiber or satellite transponder capacity (and that you used as part of your own system). **Do not** include, in column (c), broadband lines that you provided over UNEs, special access lines, and other leased lines that you obtained from an unaffiliated entity and equipped as broadband.

Column (d): Report the percentage of total lines reported in column (a) that are billed (or incorporated in a service billed) to end users by the filer (including affiliates) or by the filer's agents. Do not include in this percentage any lines reported in column (a) that are billed to an unaffiliated Internet Service Provider (ISP) that has incorporated the filer's broadband service into a premium Internet-access service marketed under the unaffiliated ISP's own name.

Note on columns (e) – (j) of Part I.A: The percentages reported in columns (e) – (j) of Part I.A refer, in each case, to lines that carry information, at the end-user location, at information transfer rates

exceeding 200 kbps in both directions. In categorizing lines in this manner, filers should consider the end user's authorized maximum usage ("speed") on that connection.

Column (e): Report the percentage of total lines reported in column (a) that carry information, at the end-user location, at information transfer rates exceeding 200 kbps in both directions **and** that are used by residential and small business end users. (As noted in instructions for column (b), above, classify lines as "residential and small business" if the end user has in service a broadband connection of a type most typically associated with residential end users.)

Column (f): Report the percentage of total lines reported in column (a) that carry information, at the end-user location, at information transfer rates exceeding 200 kbps in both directions **and, in the faster direction**, at rates greater than 200 kbps and less than 2.5 mbps.

Column (g): Report the percentage of total lines reported in column (a) that carry information, at the end-user location, at information transfer rates exceeding 200 kbps in both directions **and, in the faster direction**, at rates greater than or equal to 2.5 mbps and less than 10 mbps

Column (h): Report the percentage of total lines reported in column (a) that carry information, at the end-user location, at information transfer rates exceeding 200 kbps in both directions **and, in the faster direction**, at rates greater than or equal to 10 mbps and less than 25 mbps

Column (i): Report the percentage of total lines reported in column (a) that carry information, at the end-user location, at information transfer rates exceeding 200 kbps in both directions **and, in the faster direction**, at rates greater than or equal to 25 mbps and less than 100 mbps

Column (j): Report the percentage of total lines reported in column (a) that carry information, at the end-user location, at information transfer rates exceeding 200 kbps in both directions **and, in the faster direction**, at rates greater than or equal to 100 mbps

C. Part I.B. : Broadband (Providers of Asymmetric xDSL Connections, Symmetric xDSL Connections, or Cable Modem Connections Only)

Lines in Part I.B.

Filers that report xDSL (asymmetric or symmetric) connections in Part I.A and filers that report cable modem connections in Part I.A must complete Part I.B

Line B.I-11: Complete column (a) of Line B I-11 if there is a non-zero entry in column (a) of Line A.I-1 or in column (a) of Line A.I-2

Line B.I-12: Complete column (a) of Line B I-12 if there is a non-zero entry in column (a) of Line A.I-4

Columns in Part I.B.

Column (a): Report in column (a) your best estimate of the percentage of mass-market end-user premises in your service area, in this state, to which broadband lines were available over your own local loop facilities, as of the date specified for a particular filing (e.g., as of December 31, 2004, for the filing due March 1, 2005). **Mass-market end user premises** include residential living units (e.g., single family

dwelling and individual households in multiple dwelling units such as apartments, condominiums, mobile home parks, etc.) and also individual living units in such institutional settings as college dormitories and nursing homes. Mass-market end-user premises also include small businesses **to the extent that** you consider small business end users to be target customers for broadband services that you (including your affiliates), or your agents, primarily design for, or market to, residential end users.

Guidance on generating a “best estimate”: Rather than setting out detailed methodologies to which filers must adhere in reporting estimated service availability by state, we intend to rely on best practices in the cable and local exchange industries to provide us with carefully considered estimates. Filers should note the following points. (1) If your “franchise area” or “traditional service area” (as those terms would be understood by the relevant municipal or state regulatory body) includes areas to which your existing plant has not been “built out,” you must include – in the denominator of the fraction that generates your best-estimate percentage – an estimate of the number of mass-market end-user premises that are located in those non-built out areas. Thus, for example, the number of mass-market end-user premises in a cable TV franchise area may be larger than the number of “video homes passed” by a cable system operating in that franchise area. (2) The best estimate of service availability should **not** require degradation, outside of normal operating parameters, of the service quality of the filer’s most heavily purchased type(s) of mass-market broadband connection. (3) Filers should take into account rule-of-thumb lessons from the experience of deploying particular broadband services in similar areas (e.g., differences between actual and theoretical availability of xDSL service to mass-market end-user premises in areas in which the service already has been deployed, such as may arise due from loop-conditioning factors and loop lengths)

D. Part II: Wireline and Fixed Wireless Local Telecommunications (Local Telephone Service Providers Only)

INCLUDE in Part II: Report all **local exchange service lines** (or wireless channels) and all lines (or wireless channels) that are used for exchange access services that you do not report in Part I. (Hereafter, for purposes of this section, we use the terms “local exchange lines” or “lines.”) See “Note for reporting channelized service” and definition of “voice telephone service,” below.

EXCLUDE in Part II: Do **not** report in Part II lines not yet in service, lines used for interoffice trunking, lines that connect two locations of the same customer, company official lines, or lines that you provide as a broadband service reported in Part I. Do not report in Part II transport lines between your switching center and Internet protocol, ATM or circuit switched networks, where you already are reporting the portion of the line between the end user and your switching center, even if you multiplexed those lines and provided higher capacity lines between your switching center and those networks.

Note for reporting channelized service: In **Part II-A** and **Part II-B**, providers are to report **voice-grade equivalent lines**. Count as one voice-grade equivalent line: traditional analog POTS lines, Centrex-CO extensions, and Centrex-CU trunks. Count lines based on how they are charged to the customer rather than how they are physically provisioned. That is, when a customer is charged for channelized service, report the number of activated, charged-for channels rather than the theoretical capacity of the line. Examples. Count Basic Rate Integrated (BRI) Services Digital Network (ISDN) lines as two voice-grade equivalent lines. Report 8 voice-grade equivalent lines if a customer is charged for 8 trunks that happen to be provisioned over a DS1 circuit. If a customer is charged for a fully-channelized DS1 circuit, report 24 voice-grade equivalent lines. Lines reported in **Part II-C**, however, should **not** be reported in voice-grade equivalents, but should reflect actual circuit counts.

Note for competitive LECs providing local exchange service over hybrid fiber-coaxial cable television systems: If you cannot determine the number of lines from your records, you are permitted to report the number of subscribers.

Lines in Part II.

In **Lines A.II-1** (service provided to end users) and **Lines B.II-2 through B.II-3** (service provided to other carriers), report voice-grade equivalent lines used to provide voice telephone service. By “**voice telephone service**,” we mean local exchange or exchange access services that allow end users to originate and/or terminate local telephone calls on the public switched network, whether used by the end user for voice telephone calls or for other types of calls carried over the public switched network (for example, lines used for facsimile equipment or lines used occasionally or exclusively for “dial-up” connection to the Internet). Filers report voice telephone service in terms of voice-grade equivalent lines. Thus, a voice-grade equivalent line directly connects an end user to a carrier and allows the end user to originate and/or terminate local telephone calls on the public switched network. Voice-grade equivalent lines include high capacity lines that are channelized to provide voice-grade service. See “Note for reporting channelized service,” above.

Line A.II-1: Report total voice-grade equivalent lines you provided – that is, billed – directly to end-user consumers. Include lines provided to end users by your agents or under traditional marketing arrangements. For example, include lines provided to shared-tenant service providers. Note that an Internet Service Provider (ISP) may be an end user of local exchange service lines.

Line B.II-2: Report total voice-grade equivalent lines you provided to unaffiliated telecommunications carriers under a Total Service Resale arrangement (*i.e.*, provided pursuant to section 251(c)(4) of the Communications Act of 1934, as amended).

Line B.II-3: Report total voice-grade equivalent lines you provided to unaffiliated telecommunications carriers under other resale arrangements, including reselling Centrex/Centron.

In **Lines C.II-4 through C.II-6**, report the actual number of lines billed to the customer (*i.e.*, reflecting actual circuit counts). **Do not** convert into voice-grade equivalent measures any high capacity lines reported on Lines C.II-4 through C.II-6. As noted in the instructions for Part I, where a provider does not know whether a high capacity line is being used as a broadband line or as a telephone service line, it should report that line on Line C.II-6, rather than in Part I of its filing. Also, if you provide a line to another filer who is likely to include broadband services provided over that line in its own report (for example, because the other filer equips the line or UNE as broadband), then that line should be reported in Part II-C of your filing, not in Part I.

Line C.II-4: Report lines that you provided to unaffiliated telecommunications carriers under an unbundled network element (UNE) loop arrangement, where you do **not** provide switching for the line. Include the high frequency portion of the loop if sold as a UNE. **Do not** convert any high capacity lines provided under such UNE arrangements into voice-grade equivalent measures.

Line C.II-5: Report lines that you provided to unaffiliated telecommunications carriers under a UNE loop arrangement, where you **also** provide switching for the line (*i.e.*, “UNE-Platform”). **Do not** convert any high capacity lines provided under such UNE arrangements into voice-grade equivalent measures.

Line C.II-6: Report connections not reported in Part I (*i.e.*, as broadband) that are either special access

or private lines **and** that connect an end-user premises to a telecommunications carrier. Note that for lines reported on Line C.II-6, your customer may be either an end user or another telecommunications carrier. **Do not** convert lines reported on Line C.II-6 into voice-grade equivalent measures

Columns in Part II.

Column (a): For **Lines A.II-1** (service provided to end users), and **Lines B.II-2 through B.II-3** (service provided to other carriers), report voice-grade equivalent lines used to provide local exchange services. For **Lines C.II-4 through C.II-6** (UNEs, and special access and private lines not provided as broadband), report the number of circuits (*i.e.*, **not** the voice-grade equivalent of those circuits) that are used for local exchange or exchange access services that you do not report in Part I.

Note: See note above, page 5, about reporting data on percentages.

Column (b): Where indicated (*i.e.*, for Line A.II-1), report the percentage of the lines reported in column (a) for which you (including affiliates) are the default interstate long distance carrier, *i.e.*, the (facilities-based or reseller) carrier to which an interstate long distance call is routed automatically, without the use of any access code by the end user

Column (c): Where indicated (*i.e.*, for Lines A.II-1, A.II-2, and A.II-3), report the percentage of the lines reported in column (a) that are used for “residential and small business” service. In Part II of FCC Form 477, consider your own end-user customer to be “residential and small business” if you provide fewer than four (4) voice-grade equivalent lines to that customer location. Also, consider any lines you provide to a shared-tenant service provider in an apartment building to be residential and small business lines. For end-user lines you provide to other carriers as Total Service Resale (*i.e.*, in Line A.II-2.) or under other resale arrangements such as resold Centrex/Centron (*i.e.*, in Line A.II-3), classify lines as “residential and small business” if the carrier orders fewer than four (4) voice-grade equivalent lines for its use in serving a particular end user. If such information on the number of voice-grade lines to the end user is not available, you may estimate a comparable classification based on tariffs or on marketing information, such as demographic information associated with the geographic areas where the lines are provided.

Column (d): Where indicated (*i.e.*, for Line A.II-1) report the percentage of the lines reported in column (a) that are used for “residential and small business” service **and** for which you (including affiliates) are the default interstate long distance carrier.

Column (e): Report the percentage of the lines reported in column (a) that are provided over your **own local loop facilities, or the wireless last-mile equivalent**, connecting to the end user’s premises. Count as your own such facilities, those wired local loop facilities that you (including your affiliates) owned, those wireless connections to end-user premises that are deployed over spectrum for which you hold a license, manage, or have obtained the right to use via lease or other agreement with a Band Manager, and facilities you obtained the right to use from unaffiliated entities as dark fiber or satellite transponder capacity (and that you used as part of your own system). **Do not** include, in column (c), lines provided over UNE loops that you obtained from an unaffiliated carrier.

Note for competitive LECs that own telephone switches: A competitive LEC should include, in column (e), a line for which it provided its own switching **only** if it also owned (as just discussed) the local loop facilities that connect to the end user’s premises

Column (f): Report the percentage of lines reported in column (a) that are provided over UNE loops obtained from an unaffiliated carrier without also obtaining UNE switching from that carrier.

Column (g): Report the percentage of lines reported in column (a) that are provided over UNE-Platform (*i e* , the combination of loop UNE, switching UNE, and transport UNE) obtained from an unaffiliated carrier

Column (h): Report the percentage of lines reported in column (a) that are provided by reselling an unaffiliated carrier's retail service, including Centrex/Centron as well as other retail services.

Column (i): Report the percentage of lines reported in column (a) that are delivered over coaxial cable facilities used in the part of the line that connects to the end-user premises ("cable telephony")

Column (j): Report the percentage of lines reported in column (a) that are delivered over fixed wireless facilities used in the part of the line that connects to the end-user premises.

E. Part III: Mobile Local Telephone (Mobile Telephony Providers Only)

Line A. III-1: Report all mobile voice telephony subscribers served over your own facilities that give customers the ability to place or receive calls from the public switched telephone network. (See column (a), below, for how to count subscribers) Include: satellite, cellular, and PCS telephone service and other terrestrial mobile services, and, units in service that combine voice telephone with other services Report subscribers that you (including affiliates) serve using spectrum for which you hold a license, manage, or have obtained the right to use via lease or other agreement with a Band Manager. **Do not report** any subscribers that you serve by reselling an unaffiliated carrier's mobile telephone service.

Note: Exclude mobile services that customers cannot use to directly place calls to subscribers of ordinary telephone service, such as dispatch services and one-way or two-way paging services. Also exclude voice services that permit communications between only a narrow range of locations such as automobile units that permit drivers to communicate only with a specific road service.

Column (a): Report the total number of mobile voice telephony subscribers in the state that are served over your own facilities Count as a subscriber a mobile handset, car-phone, or other revenue-generating, active, voice unit that has a unique phone number and that can place and receive calls from the public switched network Include in column (a) subscribers that you (including affiliates) bill directly (including through agents), pre-paid subscribers, and subscribers served via unaffiliated mobile telephone service resellers. Subscriber counts by state should be based on the area codes of the phone numbers provided to subscribers.

Column (b): Report the percentage of subscribers in column (a) that you bill directly (including through agents) or serve on a pre-paid basis **Do not include** subscribers that are billed by an unaffiliated mobile telephone service reseller

Column (c): Report the percentage of subscribers in column (a) that you bill directly (including through agents) or serve on a pre-paid basis **and** for which you (including affiliates) are the default interstate long distance carrier. For purposes of this reporting requirement, a default interstate long distance carrier is the (facilities-based or reseller) carrier to which an interstate long distance call is routed automatically, without the use of any access code by the end user

F. Part IV: Explanations and Comments (All Filers, As Necessary)

Filers that must report: If there is a non-zero entry in column (a) of Line A.I-10, the filer **must** identify each specific technology used to provide the broadband connections reported in Line A.I-10, and the corresponding number of connections for each specific technology, in the comment section of Part IV.

Other filers: Complete Part IV to furnish relevant explanatory information with your data. For example, an explanation should be provided if a percentage figure has changed noticeably from earlier filings. In Part IV, filers should identify the Part and Line to which their comment applies in the columns provided.

G. Part V: Zip Code Listings (Broadband Providers and Local Telephone Service Providers)

Line V-1: Report, in the appropriate column, the 5-digit Zip Codes -- for this state -- in which you provide at least one of the broadband connections reported in Part I or at least one of the voice grade telephone services reported in Part II

Column (a) – (g): If you file broadband information in Part I, you must provide, for each individual technology indicated by the column head, a list of Zip Codes in the state in which you provide at least one of the broadband connections reported in Part I

Column (h): If you file local exchange service information in Part II, you must provide a list of Zip Codes in the state in which you have customers for your local exchange telephone service. Providers of mobile telephony services that report data in Part III should not report this Zip Code information

Note: These Zip Code lists should correspond to areas in which service is actually being used by customers, including “point Zip Codes” (i.e., a Zip Code assigned to a particular customer). The list should not include authorized territory in which you have no customers in service, planned build-out, location of facilities, etc. The list can be based on engineering information (such as maps showing actual service territory) or on billing information, such as the Zip Codes of actual customers. If the latter approach is selected, please review the resulting list and delete any Zip Codes which clearly are out of your service territory and which appear only because the billing address is likely different from the service address

IV. GENERAL INFORMATION**A. Where and When to File****1. When to File**

Service providers that meet the reporting thresholds must file the FCC Form 477 semi-annually:

- March 1st of each year: providers must file data as of December 31 of the preceding year.
- September 1st of each year: providers must file data as of June 30 of the same year.

2. Where to File

All filers must deliver to the FCC the signed, original paper copy of the Certification Statement. The Certification Statement is the single page that constitutes Section V of these Instructions. **Filers must deliver completed Form 477(s) to the FCC on electronic media. Paper copies of**

completed Form 477s may not be submitted. Acceptable electronic media are spreadsheet files attached to an e-mail message, or one or more IBM format compact discs or 3.5-inch floppy diskettes containing such files. The latter should be **clearly labeled** to identify contents by (at a minimum): FCC Form 477 (12/31/04 data), name of filer, whether the item contains "complete" or (if relevant) "redacted" versions of Form 477, and the states for which data are included. In all cases, filers should use up-to-date virus detection software to ensure that electronic media are virus-free

Attention: The United States Postal Service (USPS) requires all First Class, Priority, and Express Mail addressed to the Zip Code in which the FCC Headquarters is located to be irradiated (cleaned) prior to delivery. Because the irradiation process can have an adverse effect on electronic media (e.g., compact discs and floppy diskettes), the Commission encourages filers to submit Form 477 using one of the following alternatives, preferably e-mail. (Use **only one** filing method, do not make duplicate filings.) Because requirements for overnight, hand, or messenger delivery may change, filers who choose not to use e-mail should consult the Office of the Secretary (www.fcc.gov/osec) for the most current information about address and other delivery requirements.

E-mail: Filers are encouraged to deliver completed Form 477(s) as attachments to one or more e-mail messages sent to FCC477@fcc.gov. Filers submitting multiple files are encouraged to use a zip utility to compress them into one "complete" file and (if relevant) one "redacted" file. The subject field of the e-mail should contain the following phrase **FCC Form 477 due 3/1/05**. If multiple e-mails must be sent, the subject line should so indicate; for example **FCC Form 477 due 3/1/05 (message 1 of 3)**. Filers submitting Form 477(s) by e-mail may deliver the signed, original paper copy of the Certification Statement by USPS first-class mail addressed to **FCC FORM 477 (ATTN: WCB/IATD, Room 6-A220)**, Federal Communications Commission, 445 12th Street, SW, Washington, DC 20554. (Alternatively, filers may deliver the signed, original copy of the Certification Statement by one of the following methods.)

Overnight delivery service other than USPS Express Mail or Priority Mail: Compact discs, or floppy diskettes, containing completed Form 477(s) -- accompanied by the signed, original copy of the Certification Statement -- may be delivered by *an overnight delivery service other than USPS Express Mail or Priority Mail* (e.g., UPS, DHL, Federal Express). Such deliveries must be addressed and delivered to: **FCC FORM 477 (ATTN: WCB/IATD, Room 6-A220)**, Federal Communications Commission, 9300 East Hampton Drive, Capitol Heights, MD 20743. Filers who want a confirmation of receipt may include a stamped, self-addressed envelope and a photocopy of the Certification Statement, which will be receipt-stamped and returned by mail.

Hand delivery or messenger delivery: Local hand and messenger deliveries directed to the Commission's Secretary are accepted at 236 Massachusetts Avenue, NE, Suite 110, Washington, DC 20002. All Form 477 filing materials delivered to this location must be **clearly identified to be re-directed to: FCC FORM 477 (ATTN: WCB/IATD, Room 6-A220)**

A filer who is unable to use one of the three delivery methods should contact the Industry Analysis and Technology Division, Wireline Competition Bureau, at (202) 418-0940 or via TTY at (202) 417-0484

B. How to File

1. Preparation of Data Files

You must file your local competition and broadband deployment data using the electronic version of Form 477 that is available at www.fcc.gov/formpage.html or by purchase from the FCC's duplicating contractor, Qualx International at (202) 863-2893, fax (202) 863-2898, TTY (202) 863-2897, e-mail

qualexint@aol.com Form 477 will change over time, and filers must obtain the latest version for each filing period. Filers should also obtain the latest version of Instructions for Form 477.

The electronic version of Form 477 is provided in two formats: Excel 2002 and Lotus 123 Version 5. The Excel 2002 version contains drop-down boxes and some edit checks. The Lotus version should be usable in most spreadsheet programs. **Once you complete a filing, name the file in accordance with instructions provided below.** If you wish to assert confidentiality for any information provided in the filing, you must provide a redacted version of the file, renamed in accordance with the instructions provided below. If you do not provide a redacted version of the file using the proper file names, you risk having confidential information released.

Note: If you are required to complete a particular Part of Form 477, answer all the questions within that Part, if a particular question in that Part does not apply to you, enter the number "0" (zero) as your response. (If you are not required to complete a particular Part of Form 477, you may leave all cells in that particular Part blank.) For non-zero entries, enter all digits of the number. You may not move cells, insert or delete rows, or change the validation or formatting characteristics of any cell. **If the FCC cannot load your files into its databases as a result of modifications to the file, you will be required to correct and resubmit those files.** Filers must save each Form 477 as a **separate** spreadsheet file. Do not submit multiple Form 477 worksheets within a single Excel 2002 workbook or as multiple levels in a single Lotus file. (Filers choosing to submit Form 477(s) on a floppy diskette(s), or compact disc(s), may place multiple spreadsheet files on a single diskette or compact disc.)

Each file name must adhere to the following convention:

SST#Hyearname.XLS or SST#Hyearname WK4, where

SS is the two letter post office abbreviation for the state.

I is a single character representing principal filing type. Since incumbent LEC (ILEC) data must be filed separately from non-ILEC data, this convention distinguishes the files. In addition, this character is used to distinguish refiled and redacted data. Use the following codes

A	= original filing for non-ILEC operations
B	= original filing for ILEC operations
C	= original redacted filing for non-ILEC operations
D	= original redacted filing for ILEC operations
E	= revised filing for non-ILEC operations
F	= revised filing for ILEC operations
G	= revised redacted filing for non-ILEC operations
H	= revised redacted filing for ILEC operations

is a "sequence number" (i.e., 1, 2, 3, etc.) to be used to differentiate what would otherwise be identically named files when the file names are constructed according to the convention specified here. If no such redundancy of file names occurs, use the number "1" in place of the character "#".

H is the half of the year of the data being filed. Use
"J" for data as of June 30
"D" for data as of December 31

year is the last two digits of the year of the data being filed (e.g., for the filing due March 1, 2005, reported data will be as of December 31, 2004, so 2004 = 04).

name is the name identified on Line 2 of the Cover Page of Form 477. If you use software that limits file names to 8 characters plus a three character file extension, then use a one-character name abbreviation and identify that name in the Certification Statement.

Example NCB1D04BellSouth XLS or NCB1D04BellSouth WK4

2. Additional Directions for Filing

Filers must submit the original, signed paper copy of the Certification Statement (which is the single page that constitutes Section V of these Instructions) **The Certification statement must be signed in ink by an officer of the filer of one of the legal entities whose data is included.** An officer is a person who occupies a position specified in the articles of incorporation (or partnership agreement), and would typically be president, vice president for operations, vice president for finance, comptroller, treasurer or a comparable position. If the filer is a sole proprietorship, the owner must sign the certification.

C. Requesting Confidentiality

Some information from the FCC Form 477 may be made publicly available. Any respondent to this form may submit a request that information on the FCC Form 477 not be made routinely available for public inspection by so indicating on Line 10 of the Cover Page of the form and on the Certification Statement. See also 47 C.F.R. §§ 0.457, 0.459, 1.7001(d), 43.11(c); *Examination of the Current Policy Concerning the Treatment of Confidential Information Submitted to the Commission*, FCC 98-184 (rel. Aug. 4, 1998). Respondents seeking confidential treatment of data in an electronic file must provide a separate version of that file in which the **specific** items of data the filer believes to be privileged and confidential are redacted. Note that a redacted file must be given a different name from the complete version of the file, as specified above. Redacted data should be replaced with xxxxxx (note: enter precisely six x's) in the redacted version of the file.

D. Obligation to File Revisions

Filers must submit a revised form if the filer discovers a significant error in the data. For counts, a difference amounting to 5 percent of the filed number must be refiled. For percentages, a difference of 5 percentage points is significant and must be refiled. Revisions should consist of a certification statement and one or more electronic files. Carriers should refile all data for a state if one or more data element must be revised. A refiled Form 477 spreadsheet should contain all appropriate data for the state, not just the corrected figures. Note that files containing revisions must be given different names from the original filings, as specified above, Section IV-B 1.

E. Compliance

Service providers that are required to file the Form 477 but fail to do so may be subject to enforcement action under sections 502 and 503 of the Communications Act and any other applicable law.¹

¹ See 47 U.S.C. §§ 502, 503.

V. CERTIFICATION STATEMENT

FCC Form 477 Local Telephone Competition and Broadband Reporting (ATTENTION: WCB/IATD, Room 6-A220)**CERTIFICATION STATEMENT**

Check the method (use ONLY one) used to deliver completed Form 477(s) to the FCC. See Instructions, Section IV, for the proper address to use for each delivery method:

☐ E-mail ☐ Overnight service other than United States Postal Service
☐ Messenger or hand delivery ☐ Other (specify, _____)

Also see Instructions, Section IV, for separate directions on how to submit the signed, original paper copy of this Certification Statement to the FCC.

This filing is an (check one) ☐ original filing ☐ revised filing

Organization name: _____

Number of files provided for this reporting period: _____

Year (of the data) _____ Data as of. [Check one June 30____, December 31 ____]

I certify that I am an officer of _____, that I have examined the information contained in the data files submitted and that to the best of my knowledge, information and belief, all statements of fact contained in such files are true and that said files represent an accurate statement of the affairs of the above named respondent as of the following date

If I have requested non-disclosure of some or all of the information in FCC Form 477 by so indicating on Line 10 of the Cover Page of the form, I certify that this information is privileged and confidential and that public disclosure of such information would likely cause substantial harm to the competitive position of the respondent.

PRINTED NAME _____

POSITION _____

SIGNATURE _____

DATE _____

Persons making willful false statements in the report form can be punished by fine or imprisonment under the Communications Act, 47 U.S.C. 220(e)

CONTACT PERSON _____

TELEPHONE. _____ E-MAIL. _____

FEDERAL COMMUNICATIONS COMMISSION

VI. GLOSSARY OF SELECTED TERMS APPEARING ON FCC FORM 477

The following selected terms are noted on FCC Form 477. The filer **must** interpret these terms in the specific context of the detailed reporting instructions, above. All terms are as defined for the specific purposes of this information collection.

Part I: Broadband

Broadband: Lines (or wireless channels) that terminate at an end user location, connect the end user to the Internet, and carry information – at the end-user location – at information transfer rates exceeding 200 kilobits per second (kbps) in at least one direction

End user: Residential, business, institutional and government entities who use services for their own purposes and who do not resell such services to other entities (For purposes of this information collection, an Internet Service Provider is not an “end user” of a broadband connection)

Local loop: For purposes of this data collection, the “last mile” facilities (either wired or wireless) between a central office and the end-user premises in a telephone network, a node and the end-user premises in a cable network, or the analogous portion of the facilities of other providers of telephone service or broadband connections

Mass-market end user premises: Residential living units (e.g., single family dwellings and individual households in multiple dwelling units such as apartments, condominiums, mobile home parks, etc.) and also individual living units in such institutional settings as college dormitories and nursing homes. Also includes small businesses to the extent that the filer considers small business end users to be target customers for broadband services that the filer (including affiliates), or the filer’s agents, primarily design for, or market to, residential end users

Own local loop facilities: Those local loop facilities that the filer (including affiliates) actually owned as well as facilities that the filer obtained the right to use from unaffiliated entities as dark fiber or satellite transponder capacity (and that the filer used as part of its own system). For the purposes of Part I of this data collection, the term does not include unbundled network element (UNEs), special access lines, and other leased lines the filer obtained from an unaffiliated entity and equipped as broadband

Residential and small business: For the purposes of Part I of Form 477, end users that have a broadband connection of a type (as indicated by, e.g., information transfer rates, features, and price) that is most typically associated with (i.e., primarily designed, marketed to, and purchased by) residential end users.

Part II: Wireline and Fixed Wireless Local Telephone

Default interstate long distance carrier: The (facilities-based or reseller) carrier to which an interstate long distance call is routed automatically, without the use of any access code by the end user.

End user: Residential, business, institutional and government entities who use services for their own purposes and who do not resell such services to other entities

Local loop: See the definition provided for Part I, above

Own local loop facilities: Those local loop facilities connecting to end-user premises that the filer (including affiliates) actually owned as well as facilities the filer obtained the right to use from unaffiliated entities as dark fiber or satellite transponder capacity (and that the filer used as part of its own system). For the purposes of Part II of this data collection, the term does not include telephone lines provided over UNE loops that the filer obtained from an unaffiliated carrier

Residential and small business: For the purposes of Part II of Form 477, lines in service to end-user locations to which the filer provides fewer than four (4) voice-grade equivalent lines. Also, the term includes any lines the filer (or its affiliate or agent) provides to a shared-tenant service provider in an apartment building

UNE-Platform: The combination of unbundled network elements (UNEs) consisting of loop UNE, switching UNE, and transport UNE. (Unbundled network elements are defined in the FCC Rules. *See* 47 C.F.R. § 51.319.)

Voice-grade equivalent: Generally, the number of DS0 (64 kbps) lines/channels in a higher-capacity circuit. In the specific context of Part II of Form 477, *see* "Note for reporting channelized service" in the detailed instructions, above.

Voice telephone service: Local exchange or exchange access services that allow end users to originate and/or terminate local telephone calls on the public switched network, whether used by the end user for voice telephone calls or for other types of calls carried over the public switched network (for example, lines used for facsimile equipment or lines used occasionally or exclusively for "dial-up" connection to the Internet).

Part III: Mobile Local Telephone

Default interstate long distance carrier: The (facilities-based or reseller) carrier to which an interstate long distance call is routed automatically, without the use of any access code by the end user.

Mobile voice telephony subscribers: A mobile handset, car-phone, or other revenue-generating, active, voice unit that has a unique phone number and that can place and receive calls from the public switched network.

Own facilities: Spectrum for which the filer (including affiliates) holds a license, manages, or has obtained the right to use via lease or other agreement with a Band Manager.

VII. DISCLOSURE, PRIVACY ACT, PAPERWORK REDUCTION ACT NOTICE

The Privacy Act of 1974 and the Paperwork Reduction Act of 1995 require that when we ask you for information, we must first tell you our legal right to ask for the information, why we are asking for it, and how it will be used. We must also tell you what could happen if we do not receive it and whether your response is voluntary, required to obtain a benefit, or mandatory under the law. *See* Privacy Act of 1974, P.L. 93-579, December 31, 1974, 5 U.S.C. § 552a (e)(3), and the Paperwork Reduction Act of 1995, P.L. No. 104-13, 44 U.S.C. § 3501, *et seq*.

Our legal right to ask for this information is sections 1.7000-1.7002, 20.15, 43.01, 43.11 of the Federal Communications Commission's rules. 47 C.F.R. §§ 1.7000-1.7002, 20.15, 43.01, 43.11. Your response is mandatory.

This collection of information stems from the Commission's authority under sections 4(i), 201, 218-220, 251-252, 303(r), 332, and 403 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 201, 218-220, 251-252, 303(r), 332, and 403, and section 706 of the Telecommunications Act of 1996. The data in the worksheet will be used to monitor the deployment of broadband services and the development of local telephone service competition. Selected information provided in the worksheet will be made available to the public in a manner consistent with the Commission's rules and orders.

We have estimated that each response to this collection of information will take, on average, xx hours. Note that many companies will file multiple responses and that this estimated average reflects the fact that many companies will be required to file only a single service count that should be readily available from internal company records. Our estimate includes the time to read the instructions, look through existing records, gather and maintain the required data, enter the data in a Form 477 spreadsheet, prepare a floppy diskette or compact disc (if the filer decides to submit completed Form 477(s) by a method other than e-mail) and certification, and actually file the report. If you have any comments on this estimate, or how we can improve the collection and reduce the burden it causes you, please write the Federal Communications Commission, AMD-PERF, Washington, D.C. 20554, Paperwork Reduction Project (3060-0816). We also will accept your comments via the Internet if you send them to Judith-B.Herman@fcc.gov. DO

NOT SEND COMPLETED FCC FORM 477 TO THIS ADDRESS

Remember -- You are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid Office of Management and Budget (OMB) control number. This collection has been assigned an OMB control number of 3060-0816

The Commission is authorized under the Communications Act of 1934, as amended, to collect the personal information we request in this form. If we believe there may be a violation or potential violation of a statute or a Commission regulation, rule, or order, your filing may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing the statute, rule, regulation, or order. In certain cases, the information in your worksheet may be disclosed to the Department of Justice, court, or other adjudicative body when (a) the Commission, or (b) any employee of the Commission; or (c) the United States government, is a party to a proceeding before the body or has an interest in the proceeding

Reporting entities failing to file the worksheet in a timely fashion may be subject to penalties under the Communications Act, including sections 502 and 503 (b)

STATEMENT OF
COMMISSIONER MICHAEL J. COPPS

Re Local Telephone Competition and Broadband Reporting; Local Competition and Broadband Reporting, Notice of Proposed Rulemaking and Order on Reconsideration

One month ago, the Commission embarked on its fourth Section 706 inquiry into the reasonable and timely availability of advanced services, or broadband, for all Americans. Today, we release a Notice of Proposed Rulemaking seeking comment about how to improve our broadband data gathering program. I fully support both of these efforts. But our approach here is backwards. Our statutory inquiry under Section 706 will be complete *before* we improve our data collection. This is putting the cart before the horse at a time when we cannot afford to be waylaid by broadband data that tells less than the full deployment story.

Broadband is the great infrastructure challenge facing this generation. Statistics show we rank 11th in the world in broadband penetration. This is simply unacceptable. We must do better. To develop better broadband policy, we need better broadband data. Today's Notice of Proposed Rulemaking represents a positive step towards more and better information about the real rate of deployment of advanced services in this country. I especially am pleased that we seek comment on requiring filers to specify the number of connections, by technology and service speed, in reporting zip codes. This will make it possible for the Commission to have access to data that will improve our analysis and enhance our decision-making.

STATEMENT OF
COMMISSIONER JONATHAN S. ADELSTEIN

Re. Local Telephone Competition and Broadband Reporting; Local Competition and Broadband Reporting, Notice of Proposed Rulemaking and Order on Reconsideration

I am pleased to support this Notice which proposes to improve and extend the Commission's data gathering efforts into the status of broadband deployment and local competition. Congress directed this Commission to ensure that all Americans have reasonable and timely access to advanced telecommunications capability, such as broadband services, and this effort is of critical importance to the health of our economy and our quality of life. As a member of the Federal-State Joint Board on Universal Service, I have seen first hand how access to advanced services can benefit our schools and rural health care centers. And, as the first person from South Dakota to serve as a Commissioner at the FCC, I know firsthand how important broadband services are to rural communities.

The Commission's data collection program has provided useful data on broadband and local telephone subscribership for the past four years. Extending this program is extremely important. What I and others have called for is access to more granular data that would give policymakers a better understanding of the types of services and locations of services being deployed. It is critical that we understand with greater nuance whether consumers in rural areas are receiving access to broadband services comparable to those deployed in urban areas and whether those services are available at comparable prices. With respect to urban areas, we should know whether residential consumers have access to broadband services or whether it is only available to larger business users. We should also explore whether information about pricing for broadband services would help us to determine whether access to broadband services is affordable to all Americans. With this Notice, we have the opportunity to explore these questions and to appreciably improve our data collection efforts.

I am disappointed, however, that any additional data that we collect through this program will not be available in time for our current Section 706 inquiry and the report on broadband deployment that we must issue this fall. With this timing, we miss a golden opportunity to contribute to the public dialogue over how best to speed broadband deployment. In the absence of a more granular data collection, I hope that parties and this Commission will cast our nets broadly as we investigate where companies have deployed broadband and the choices available to consumers. Having a comprehensive, reliable, and accurate understanding about the state of broadband deployment is a critical step in our efforts to promote the availability of broadband services to all Americans.